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PATRIOT SCIENTIFIC CORPORATION

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

HTC CORPORATION, et al.

Plaintiffs,

vs.

TECHNOLOGY PROPERTIES LIMITED,
et al.

Defendants.

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ATTORNEYS FOR PLAINTIFFS
HTC CORPORATION and HTC AMERICA,
INC.

Case No. 5:08-CV-882 JF

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE**

1 WHEREAS, on February 8, 2008, plaintiffs HTC Corporation and HTC America,
2 Inc. (collectively "HTC" or "Plaintiffs") filed a complaint against defendants Technology
3 Properties Limited ("TPL"), Patriot Scientific Corporation ("Patriot"), and Alliacense Limited
4 (collectively, "Defendants") for declaratory judgment of patent non-infringement and invalidity of
5 U.S. Patent Nos. 5,809,336 ("the '336 patent"); 5,784,584 ("the '584 patent"); 5,440,749 ("the
6 '749 patent"); and 6,598,148 ("the '148 patent");

7 WHEREAS, on April 25, 2008, TPL and Patriot filed complaints for patent
8 infringement against HTC for alleged infringement as to the '336 patent, the '749 patent, and the
9 '148 patent in the Eastern District of Texas, Case No. 2-08-cv-172 (DF) and as to the '584 patent
10 in Case No. 2-08-cv-174 (TJW) (collectively, "Texas Actions");

11 WHEREAS, the Court entered a Related Case Order determining that the present
12 case and the following two cases pending in this district are related to one another: (1) *Acer, Inc.*
13 *et al v. Technology Properties Limited et al* (C 08-00877 JF); and (2) *ASUSTeK Computer Inc. el*
14 *al v. Technology Properties Limited et al* (C 08-00884 EMC) (Docket No. 21) ("Related
15 Matters");

16 WHEREAS, Defendants in each of the Related Matters have filed motions to
17 dismiss or in the alternative to transfer to the Eastern District of Texas, with all such motions
18 currently set for hearing on August 1, 2008 ("Motions to Dismiss");

19 WHEREAS, the parties' Case Management Conference is currently scheduled for
20 May 30, 2008 (Docket No. 22);

21 WHEREAS, Defendants have requested a continuance of the Case Management
22 Conference ("CMC") so that discovery and other related obligations would be deferred until after
23 the Court rules upon Defendants' Motions to Dismiss; and
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25 WHEREAS Plaintiffs have agreed to a continuance of the CMC, while the
26 Defendants have agreed to an extension of time for HTC to respond to the Texas Actions until
27 August 15, 2008;
28

1 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE, AND
2 RESPECTFULLY REQUEST THAT THE COURT ORDER, AS FOLLOWS:

3 The Case Management Conference currently set for May 30, 2008 shall be
4 continued to a date determined by the Court following the August 1, 2008 hearing on the Motions
5 to Dismiss.

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9 Respectfully submitted,

10 Dated: May 21, 2008

THELEN REID BROWN RAYSMAN &
STEINER LLP

11
12 By: /s/ Robert E. Krebs
Robert E. Krebs

13 Attorneys for Defendants TECHNOLOGY
14 PROPERTIES LIMITED, and ALLIACENSE
15 LIMITED

16 Dated: May 21, 2008

KIRBY NOONAN LANCE & HOGE

17 By: /s/ Charles T. Hoge
18 Charles T. Hoge

19 Attorney for Defendant PATRIOT
SCIENTIFIC CORPORATION

20 Dated: May 21, 2008

WHITE & CASE LLP

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22 By: /s/ Kyle D. Chen
23 Kyle D. Chen

24 Attorneys for Plaintiffs HTC
CORPORATION and HTC AMERICA, INC.

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1 PURSUANT TO STIPULATION IT IS SO ORDERED:
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4 Dated: 5/23/08

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7 The Honorable Jeremy Fogel
8 United States District Judge
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